

Appl. No. 10/759,204  
Amendment  
Response to Office Action mailed February 1, 2008

Docket No. NIT-407

### **REMARKS**

#### **Pending Claims**

Claims 2 and 8-10 are pending in this application. Claims 2, 8, and 9 have been amended. No new matter has been added.

#### **Applicants' Interview Summary Record**

Applicants appreciate the Examiner's telephonic interview of August 1, 2008 in which the 35 U.S.C. §101 rejection was discussed. Applicants have amended the claims in order to overcome the rejection under 35 U.S.C. §101. As discussed in the interview, applicants have amended the claims to set forth a computer as part of the claimed combination. If any issues remain outstanding with respect to the rejection under 35 U.S.C. §101, applicants would appreciate receiving a telephone call from the Examiner to discuss such issues.

#### **Claim Rejection Under 35 U.S.C. §101**

Claims 2 and 8-10 are rejected under 35 USC §101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 2 and 8 to overcome the rejection.

In particular, the applicants have amended the claims to include a computer in the claimed combination and to further include that the claimed features of the invention are

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performed by a combination of hardware and software, i.e. units or modules functioning on a computer as set forth in the Specification.

Applicants refer to Figure 3 which shows a functional block diagram of a computer system implementing an embodiment of the invention. Figures 6, 7 and 10 also show embodiments of the invention in functional block diagram form having a computer system. Although details of the computer 301 shown in Figure 3, for example, are not set forth, one having ordinary skill in the art understands the hardware aspects of a computer and the description of the invention as set forth in the Specification enables one having ordinary skill in the art to practice the invention as a combination of hardware and software.

As amended, each of the claims includes a computer in the claimed combination. In claim 2, the functions performed by the computer through software are set forth as being part of processing or issuing units (*see*, Figures 1 and 3, for example). Claim 8 has been amended to set forth that each of the steps of the method are performed by the computer that is set forth in the preamble of the claim. In view of the foregoing amendments to the claims and discussion, reconsideration and withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

#### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication that claims 2 and 8-10 would be allowable if rewritten or amended to overcome the rejections under 35 USC 101.

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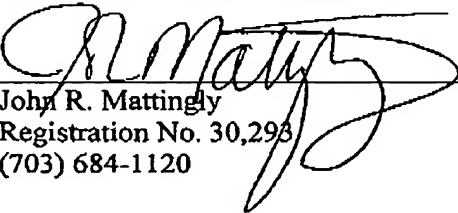
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**Conclusion**

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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